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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/810,032      | 03/26/2004  | Steven K. Knapp      | X-1421 US           | 8424             |

24309 7590 11/15/2006

XILINX, INC  
ATTN: LEGAL DEPARTMENT  
2100 LOGIC DR  
SAN JOSE, CA 95124

EXAMINER

PEUGH, BRIAN R

ART UNIT PAPER NUMBER

2187

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/810,032

Applicant(s)

KNAPP, STEVEN K.

Examiner

Brian R. Peugh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 12-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-18 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is in response to applicant's communication filed August 25, 2006 in response to PTO Office Action dated June 7, 2006. The applicant's remarks and amendment to the specification and/or claims were considered with the results that follow.

Claims 1-10 and 12-19 have been presented for examination in this application. In response to the last Office Action, claim 9 has been amended. Claim 11 has been cancelled.

Please note the change in Examiner attributed to the current application.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Jigour (US# 5,991,194).

As per claims 1-3, Jigour discloses a system comprising: a serial flash memory; and a programmable logic device having an interface coupled to the serial flash memory, wherein the interface is configured to identify the serial flash memory, wherein the serial flash memory operates in accordance with the serial peripheral interface (SPI)

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### ***Response to Amendment***

This Office Action is in response to applicant's communication filed August 25, 2006 in response to PTO Office Action dated June 7, 2006. The applicant's remarks and amendment to the specification and/or claims were considered with the results that follow.

Claims 1-10 and 12-19 have been presented for examination in this application. In response to the last Office Action, claims 1, 4, 7-10, 13, 17-19, 22-24, 26-28, 31, and 32 have been amended.

Please note the change in Examiner attributed to the current application.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Jigour (US# 5,991,194).

As per claims 1-3, Jigour discloses a system comprising: a serial flash memory; and a programmable logic device having an interface coupled to the serial flash memory, wherein the interface is configured to identify the serial flash memory, wherein the serial flash memory operates in accordance with the serial peripheral interface (SPI)

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protocol, and wherein the serial flash memory is coupled to the interface by a standard SPI four-wire interface [the flash memory array 124 is fully accessible through four-pin serial peripheral interface (column 3, lines 59-61)].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jigour in view of a well known feature in which office notice is taken.

As per claims 4-8, Jigour or DeCaro discloses the claimed invention including an address register to provide a start address to the serial flash memory, wherein the start address identifies an initial address to be accessed in the serial flash memory which could be a predetermined address and is modifiable [inherently both references should have the above said features (for example see Jigour Read Device Information instruction on column 4, lines 45-47, and column 6, lines 25-28)], and updating a configuration stored in the flash memory [DeCaro discloses configuration data and a way to be able to have interface to different types of serial memories and identifying these different serial memories and Jigour discloses sending a command requesting device information], but fails to specifically disclose an address register to provide a

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start address to the serial flash memory, wherein the start address identifies an initial address to be accessed in the serial flash memory which could be a predetermined address and is modifiable. However, having a start address register to provide a start address to the flash memory is well known, thereby official notice is taken (as an evidence to this well known subject matter, examiner refer applicant to the US Patent No. 6510090 (column 1, lines 33-37), 6549482 (column 9, lines 31-51), and 6829727 (column 7, lines 50-60)).

As per claim 19, claim 19 encompasses the same scope of the invention as those of claims 4-8. Therefore, claim 19 is rejected for the same reasons as stated above with respect to claims 4-8.

### ***Allowable Subject Matter***

Claims 9-18 are allowed over the prior art of record.

### ***Response to Arguments***

Applicant's arguments filed August 25, 2006 have been fully considered but they are not persuasive.

Regarding Applicant's arguments that "...Jigour does not identify any particular device that communicates with a serial flash memory", Jigour teaches the serial flash memory is "...fully accessible" through the command and control logic interface (110)

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[col. 3, lines 59-63], where (110) is responsible for directing the read and write commands to the serial flash memory [col. 4, lines 3-17].

The arguments regarding the DeCaro reference are persuasive and thus the respective rejection has been removed.

Regarding Applicant's argument that the Jigour nor DeCaro references disclose that the PLD is an FPGA, the 6,829,727 reference teaches that their PLD may be in the form of an FPGA [col. 31, lines 26-27 and col. 32, lines 52-53].

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian R. Peugh whose telephone number is (571) 272-

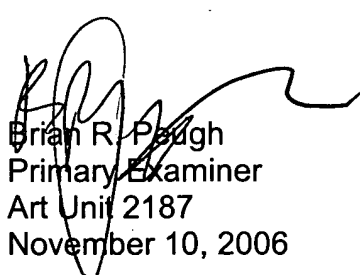
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4199. The examiner can normally be reached on Monday-Thursday from 7:00am to 4:30pm. The examiner can also be reached on alternate Friday's from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks, can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Brian R. Paugh  
Primary Examiner  
Art Unit 2187  
November 10, 2006